

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF NEW YORK

\*\*\*\*\*  
UNITED STATES OF AMERICA

v.

Criminal No. 05-CR-217

David Monk,

Defendant.  
\*\*\*\*\*

ORDER FOR DISMISSAL

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure and by leave of court endorsed hereon, the United States Attorney for the Northern District of New York hereby dismisses Count 1 of the Second Superseding Indictment against defendant DAVID MONK

The reason(s) for this dismissal are (check one or more):

- Case transferred to another District       Speedy Trial Act  
 Defendant's cooperation       Insufficient evidence at this time  
 Other: Pursuant to plea agreement

With respect to this dismissal, defendant (check one):

- Consents       Objects       Has not been consulted

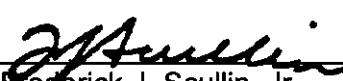
This dismissal is with prejudice.

GLENN T. SUDDABY  
United States Attorney

By:   
Edward R. Broton  
Assistant U.S. Attorney  
Bar Roll No. 101230

Leave of court is granted for the filing of the foregoing dismissal.

Dated: September 21, 2006

  
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Hon. Frederick J. Scullin, Jr.  
Senior United States District Court Judge